UNITED NATIONS

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3 December 1990

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Forty-fifth session
Agenda item 71

SCIENCE AND PEACE

Report of the Special Political Committee

Rapporteur: Miss Catherine von HEIDENSTAM (Sweden)

I. INTRODUCTION

1. The item entitled "Science and Peace" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolution 43/61 of 6 December 1988.

2. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.

3. The Special Political Committee considered the item at its 13th meeting, on 14 November 1990 (see A/SPC/45/SR.13).

4. The Committee had before it the report of the Secretary-General submitted in pursuance of General Assembly resolution 43/61, paragraph 4 (A/45/601).

II. CONSIDERATION OF DRAFT RESOLUTION A/SPC/45/L.11

5. At the 13th meeting, on 14 November 1990, the representative of Costa Rica introduced a draft resolution (A/SPC/45/L.11) sponsored by Argentina, Bangladesh, Bolivia, Brunei Darussalam, Chile, Colombia, the Comoros, Costa Rica, Cyprus, the Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Lesotho, Morocco, Myanmar, Nepal, Nicaragua, Panama, Papua New Guinea, Paraguay, Peru, the Philippines, Poland, Samoa, Singapore, Sri Lanka, Thailand, Togo, the Ukrainian Soviet Socialist Republic and Uruguay, subsequently joined by the Central African Republic, Côte d'Ivoire, Fiji, India, Jamaica, Liberia, Namibia, Romania, Sierra Leone and Suriname.

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6. At the same meeting, the Committee adopted the draft resolution without a vote (see para. 8).

7. Following the adoption of the draft resolution, the representative of Costa Rica made a statement.

III. RECOMMENDATION OF THE SPECIAL POLITICAL COMMITTEE

8. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolution:

Science and peace

The General Assembly,

Recalling its resolution 43/61 of 6 December 1988, in which it proclaimed the "International Week of Science and Peace", which would take place each year during the week in which 11 November falls,

Recognizing that this celebration has generated a series of activities and initiatives leading to the study and dissemination of information on the links between progress in science and technology and the maintenance of peace and security,

Considering that progress in science and technology profoundly affects international peace and security, economic and social development, respect for human rights and many other aspects of civilization and culture,

Considering also that political and economic decisions have a decisive effect on the direction of scientific research and the use of the results obtained thereby,

Affirming that it is necessary to promote greater awareness among scientists world wide of the usefulness of science to increase international peace, security and co-operation, the social and economic development of mankind, the promotion of human rights and the protection of the environment,

Affirming, in particular, the need for scientists to establish a free and open dialogue between one another, and with political leaders and the public in general, with regard to scientific developments and their present and potential implications for our civilization,

Considering the importance of encouraging scientists to work towards constructive objectives, to improve the climate for arms control and disarmament, and to promote a dialogue on important topics in connection with the positive contributions that scientific knowledge can make to peace, security and ecological balance,

Considering also that the celebration each year of a special week of action devoted to the topic "Science and peace" is an important means of generating and increasing public interest in this topic,

Noting with appreciation the joint efforts made by scientists and members of other professional groups to promote the achievement of those aims through the holding of the First International Week of Scientists for Peace from 10 to 16 November 1986 and every year since then during the week in which 11 November falls,

1. Takes note with satisfaction of the report of the Secretary-General on the observance of the International Week of Science and Peace in 1989 and the wide variety of activities that took place in connection with this event; 1/

2. Urges Member States and intergovernmental and non-governmental organizations to encourage universities and other institutions of advanced study, scientific academies and institutes, and professional associations and individuals in the scientific community to hold, during that Week, lectures, seminars, special debates and other activities conducive to the study and dissemination of information on the links between progress in science and technology and the maintenance of peace and security;

3. Urges Member States to promote international co-operation among scientists by facilitating exchanges of experts and information;

4. Requests the Secretary-General to draw the attention of Member States and interested organizations to the importance of the International Week of Science and Peace and invites them to report to him on their activities and initiatives in connection with this event, and to report thereon to the General Assembly at its forty-seventh session.

1/ A/45/601, chap. II.

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Forty-fifth session
Agenda item 71

SCIENCE AND PEACE

Report of the Special Political Committee

Rapporteur: Ms. Catherine von HEIDENSTAM (Sweden)

Corrigendum

The headings should read as above.

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UNITED
NATIONS

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3 December 1990
ENGLISH
ORIGINAL: SPANISH

Forty-fifth session
Agenda item 28

THE SITUATION IN CENTRAL AMERICA: THREATS TO INTERNATIONAL PEACE AND SECURITY AND PEACE INITIATIVES

Letter dated 29 November 1990 from the Permanent Representative of Nicaragua to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a document entitled "Economic and social conciliation" and two appendices entitled "Official Declaration of the National Assembly" and "Support by demobilized members of the Nicaraguan Resistance for the agreements on economic and social conciliation" (see annexes).

I should be grateful if you would have this letter and its annexes distributed as official documents of the General Assembly under agenda item 28.

(Signed) Roberto MAYORGA CORTÉS
Ambassador
Permanent Representative

READEX FICHE

ANNEX I

26 October 1990

REPUBLIC OF NICARAGUA

ECONOMIC AND SOCIAL CONCILIATION

Introduction

On 20 September, we Nicaraguans began an effort to put into practice a new style of government in which the whole of society is consulted and taken into account in the Government decision-making process.

On 27 September, Mrs. Violeta Barrios de Chamorro addressed the General Assembly of the United Nations and appealed to other nations that Nicaragua be accorded preferential treatment befitting a nation which has just emerged from a major, fratricidal war, with a toll of thousands of dead, wounded and orphaned and material damage unprecedented in the history of Latin America.

The possibility of obtaining exceptional international treatment will be substantially increased only if Nicaraguans reach a concerted agreement which guarantees a stable environment for a reasonable period of time and demonstrates clearly to the international community that external resources and assistance will contribute significantly to solving the most pressing social and economic problems.

As a result, we the undersigned view conciliation as effective for two purposes:

(a) for achieving the stability and the minimum level of social peace needed to put our energy and limited resources to work and a climate conducive to investment and the launching of economic recovery; and

(b) as a valuable and necessary pre-condition for establishing a new, dynamic relationship with the international community which will result in the desired preferential treatment.

Thirty-five confederations, federations, chambers, associations and trade unions representing workers and employers participated with the Government in this process of tripartite conciliation, in the search for a common course for guaranteeing stability and development.

The conciliation process was broad and democratic and we all participated and contributed to the consensus. We invested 15 full days of joint work, out of the last 36 days, in an effort without precedent in the history of our country.

As a result of these efforts, we managed to identify a large number of practical points on which we agree. Adversaries or protagonists of earlier conflicts got to know each other personally and we all worked to produce agreements which are vital for solving our common problems.

AGREEMENTS ON ECONOMIC AND SOCIAL CONCILIATION

We, representatives of the Government of Nicaragua and of employers' and workers' organizations, invited by the President of the Republic, Mrs. Violeta Barrios de Chamorro, have participated in the economic and social conciliation process with a view to reaching tripartite agreements which will help resolve our country's economic and social crisis.

We are pleased to inform the people of Nicaragua and the international community that we employers and workers, with the assistance and under the responsibility of the Government, have succeeded in reaching a consensus on the following agreements:

I

GLOBAL COMMITMENTS

1. Exceptional treatment

1.1 The Government, with the support of workers and employers, will adopt a realistic economic programme of stabilization and recovery consistent with the post-war, exceptional situation in Nicaragua. We urge the international community and international financial institutions to support its execution.

1.2 The exceptional treatment we are requesting involves preferential treatment for Nicaragua which will secure the release of funds from the Inter-American Development Bank and the World Bank so that the country can obtain net resources from those institutions for 1991, will solve the bilateral debt problem as soon as possible by having creditors recognize that it is virtually impossible for Nicaragua to rebuild unless it is given special relief from its bilateral obligations and, lastly, will generate an increase in donations to meet the requirements of the social emergency.

2. Confidence and security

2.1 We recognize that the Political Constitution of the Republic is the corner-stone of a State which is subject to the rule of law and that it must therefore be respected and adhered to by both Government and governed. Any constitutional reform initiatives which sectors of society participating in this forum may consider necessary will have to be channelled according to the procedures established in the Constitution.

2.2 We recognize that it is essential to ensure a State of law and social peace for the good and security of all Nicaraguans. By State of law, we mean a State in which the primacy of the Constitution and the law is recognized and in which Government and governed recognize that primacy and the obligation to submit to it.

2.3 We recognize the creation of and the work done by the National Agrarian Commission as a tripartite, broad-based advisory body to the Office of the President which is seeking immediate, just and equitable solutions, giving priority to existing problems in the most seriously affected agricultural areas. The Constitutional Agrarian Reform Act regulating the activities of Nicaraguan Agrarian Reform Institute (INRA) and defining the country's agrarian reform policy must be promulgated immediately.

3. Economic policy

3.1 Stabilization

We recognize that one of the country's main economic and social problems is inflation, which must be reduced to levels such that the confidence of all sectors of society is restored.

3.2 Monetary and foreign exchange policy

We recognize that monetary and foreign exchange policy is not an end in itself but a basic tool for moving gradually towards economic stabilization, for guiding adjustments and for stimulating the recovery of the productive sectors necessary to the country. To this end:

3.2.1 In line with the reduction of inflation, the problem of the circulation of multiple currencies must be solved as soon as possible, leaving only the gold-backed córdoba, in order to help de-index the economy;

3.2.2 The primary goal of foreign exchange policy will be to promote exports in order to facilitate sustained economic recovery.

3.3 Credit policy

3.3.1 We recognize that one of the key objectives of the economic programme will be the reactivation of production in priority sectors of the economy, such as production for export, production of basic grains, and small, medium and large-scale industry.

In particular, the Government must try to obtain the necessary resources for harvesting crops, and financing for the large, medium-sized and small industries essential to the country's economic recovery.

3.4 Fiscal policy

3.4.1 We recognize that the public deficit, as one of the factors affecting inflation, must be reduced in keeping with the limitations now imposed by the need to tackle the country's most serious social problems.

3.4.2 We agree that deficit reduction must be based both on the need to rationalize public spending and on an increase in taxation, based on the principle of progressive taxation. The Government must emphasize improved tax collection and reduced tax evasion, and the implementation of a policy of austerity in the areas of non-essential spending and oil consumption.

3.4.3 Military spending must be reduced in conformity with the Esquipulas II agreements.

3.5 Social policy

The health and education budgets will have the highest priority for the remainder of 1990, with current amounts being maintained in real terms, and health and education will be the two most important sectors in the proposed national budget for 1991 to be sent to the National Assembly in November, ensuring that real amounts in 1991 will be no less than those for 1990.

II

SECTORAL AGREEMENTS

1. Credit, investment and production

1.1 The participants in the conciliation process agree to gradually eliminate the inflationary role of credit and to ensure that credit is used efficiently. The Government undertakes to provide financing flexibly to priority sectors.

1.2 The Government will embark on the immediate restructuring of credits for the first harvest of basic grains in the case of growers affected by drought, and also for coffee growers in regions II, III and IV who, in the judgement of the Ministry of Agriculture and Livestock Production, have been affected by abnormal climatic conditions. In these cases, this year's production will not be taken into account for determining future average credits.

1.3 The Government will ensure that the tripartite agreements in the construction and textile sectors are applied.

1.4 The following activities are a priority for production and the allocation of credit: cotton, coffee, sesame seed, basic grains, livestock, peanuts, bananas, sugar cane and small industry.

1.5 In keeping with the external resources obtained, the Government will carry out a programme of public investment aimed at reviving economic activity, creating new job openings and restoring social and production infrastructures.

2. Restitution, privatization and worker participation

2.1 The forms of property existing in Nicaragua in conformity with the Political Constitution will be given the necessary guarantees for their full and harmonious incorporation in the joint effort to increase production, rebuild the country and promote national development and social progress.

In privatizing State enterprises, the Government will take into account workers' acquired rights and their right to participate in ownership of the enterprise.

The participants in the conciliation process agree that properties and rights that have been unfairly affected will be partially or fully restored or, failing that, subject to appropriate compensation in keeping with the State's possibilities. Workers of the enterprise in question will provide evidence and make recommendations to the corresponding legal bodies.

At the same time, the Government will respect property distributed to individuals or associations prior to 25 February 1990, it being recognized that the original owners whose property was unfairly expropriated or confiscated will have to be duly compensated in keeping with the State's possibilities.

3. Public services

3.1 We recommend Government oversight of spending by autonomous entities in order to set the prices of services, maintaining a financial balance so that:

(a) A system of preferential rates is established for lower-income groups;

(b) Rates are established which provide a genuine incentive for using energy for irrigation and small industry, given the need to increase the country's output.

We recommend austerity and transparency in the use of resources by public utilities and in the acquisition of goods and supplies. Public works will be carried out on the basis of public tender, without discrimination as to the bidders' form of ownership.

4. Employment and wages

4.1 The Government will have to promote the country's economic recovery with a view to helping bring about a gradual reduction in current unemployment levels, by developing new job openings in production and facilitating the transfer of resources from the non-productive to the productive sector.

The Government undertakes to establish a minimum wage based on a percentage of the basic shopping basket of 53 items, and to design a mechanism for adjusting the minimum wage to fluctuations in that shopping basket.

The Government will ensure payment of an annual bonus equal to 100 per cent of the last monthly wage paid.

5. Labour law

5.1 The Government will promote the promulgation of a new, modern Labour Code, an effective Code of Labour Proceedings and the establishment of a Higher Labour Tribunal on which all sectors involved in labour relations are represented. It will also immediately enact civil service regulations.

5.2 Collective agreements concluded in accordance with the Labour Code, ILO International Conventions and other relevant laws will be the framework regulating worker-employer relations. All parties must therefore promote the signing of such agreements in appropriate cases and guarantee compliance with the agreements reached.

5.3 The right to strike is recognized by law. The procedures for exercising this right must be reviewed.

6. Private financial institutions and foreign trade

Under the Political Constitution of Nicaragua, the Government will be able to authorize the functioning of private financial institutions, with appropriate regulations guaranteeing that the national financial system continues to perform its functions as the main source of support for the agricultural, industrial and commercial sectors.

The national financial system will maintain its commitment to continue providing credit to rural and urban small producers on the basis of preferential treatment and economic and agro-ecological criteria guaranteeing the recovery of those sectors.

The degree of freedom with which private financial institutions may operate will be determined by the National Assembly. An office of a superintendent of banks will be established for this purpose.

The Government will authorize export licences for producers' associations and individuals who, in keeping with the Political Constitution of Nicaragua, help to enhance the efficiency of the country's export sector and to improve producer prices.

III

COMMITMENTS

1. Workers

We workers are prepared:

1.1 To contribute to stability and social peace.

1.2 To increase and maintain labour efficiency and productivity.

1.3 To comply with collective agreements signed with employers.

1.4 To exhaust the mechanisms of negotiation and dialogue, as well as legal instruments, before using our right to strike.

1.5 To agree to wage adjustments worked out by conciliation.

1.6 To reduce absenteeism and improve discipline in the workplace.

2. Employers

We employers are prepared:

2.1 To contribute to stability and social peace and to develop harmonious worker-employer relations.

2.2 To promote in Nicaragua a climate for foreign investment and the investment of Nicaraguan capital currently placed abroad, to contribute to efforts to expand the tax base and to continue to promote due payment of taxes.

2.3 To negotiate and comply with collective agreements concluded with workers.

2.4 To rationalize marketing and profit margins in order to moderate prices and increase competitiveness.

2.5 To increase investment in order to increase output and production efficiency.

2.6 To create more jobs in the production sector and to set up an employment bank to facilitate the recruitment of public employees who want to find jobs in production.

2.7 To make good use of credit.

2.8 In a spirit of free enterprise and in order to promote fair competition, to make efforts to incorporate the informal sector in the formal sector of the economy.

3. Government

The Government is prepared:

3.1 To apply and to make available the financial resources needed to comply with these agreements.

3.2 To intervene to eliminate activities and actions which could result in political revanchism, particularly in the countryside.

3.3 To observe the employment and wage policies agreed to in this conciliation process.

3.4 To establish preferential rates for public utilities (water, electricity, sewage disposal) for lower-income groups.

3.5 To ensure compliance with the agreements which it signs through its various bodies.

3.6 To incorporate these agreements in its international policy.

3.7 To ensure the genuine disarmament of civilians.

4. All sectors

4.1 All sectors must guarantee the stability which will enable us to put these agreements into effect, especially in the next six months.

To this end, the sectors participating in this conciliation process undertake to resolve any dispute by means of negotiation and dialogue to ensure the uninterrupted operation of production activities and services.

IV

VERIFICATION AND FOLLOW-UP COMMISSION FOR THE AGREEMENTS

The Verification and Follow-up Commission for the agreements reached herein will be made up of the current officers of the economic and social conciliation process.

The Commission will be permanent and will meet at the intervals required by the economic and social situation.

The Commission will be responsible for drawing up the agenda and recommending the necessary action for expanding the climate of social stability for the period corresponding to the 1991-1992 agricultural year.

Managua, 26 October 1990

OFFICERS

Government:

(Signed)

Mr. Emilio Pereira Alegría
Minister of Finance
Chairman

(Signed)

Mr. Dayton Caldera Solórzano
Vice-Minister for the Economy and Development

Workers:

(Signed)

Mr. Lucío Jiménez
Secretary-General
Sandinista Workers' Confederation

(Signed)

Mr. José Espinoza Navas
Secretary-General
Confederation of United Trade Unions

Employers:

(Signed)

Mr. Ramiro Gurdián
President
Union of Agricultural Producers

(Signed)

Mr. Juan Tijerino
Member of the National Livestock
Commission, UNAG

Delegates:

Organization	Name	Signature
Association of Hardware Dealers of Nicaragua		
National Association of Import and Export Resellers (ANABIE)		
Nicaraguan Association of Pharmaceutical Distributors		
Chamber of Industry of Nicaragua (CADIN)		
Chamber of Commerce of Nicaragua		
Nicaraguan Chamber of Construction		
National Chamber of Tourism (CANATUR)	Ramón López Cisneros	
Confederation of Cotton Growers Associations of Nicaragua (CAAN)		
National Confederation of Medium- and Small-Scale Industries (CONAPI)	Gustavo Hernández Carlos Cajina	
Federation of Livestock Producers of Nicaragua		
Federation of Transport Operators of Nicaragua (FETRACANIC)		
Nicaraguan Institute for Development (INDE)		
National Union of Farmers and Livestock Producers (UNAG)	Luis Morales	
Associations	Wilfredo López	
ECODEPA	Amado Zeledón	
FENACOOP	Ariel Bucardo Juan Francisco Prendyz	

Organization	Name	Signature
National Union of Coffee Growers of Nicaragua (UNCAFENIC)		
Union of Agricultural Producers (UPANIC)		
CONAPRO (Independent)		
Confederation of Workers of Nicaragua (CTN)		
Confederation of Workers of Nicaragua (Independent)		
Confederation of United Trade Unions (CUS)	Carlos Martínez	
Confederation for United Trade Union Action (CAUS)	Roberto Moreno C.	
Trade Union Federation of Teachers of Nicaragua	Mario Casco	
Association of Journalists of Nicaragua (APN)	Róger León Carranza	
General Confederation of Workers (CGT) (Independent)	Julio Paladino Carballo	
Independent Nicaraguan Federation of Educational and Cultural Workers		
National Commission of Independent Health Care Workers	Manuel Sánchez Berrios	
CONAPRO (Heroes and Martyrs)	Freddy Cruz	
National Association of Nicaraguan Educators (ANDEN)	Mario Quintana Guillermo Martínez	
Association of Health Care Workers (FETSALUD)	Gustavo Porras	
Union of Journalists of Nicaragua (UPN)	Lilly Soto Vázquez	

Organization	Name	Signature
National Union of Government Employees (UNE)	José Angel Bermúdez Miriam Reyes G.	
Sandinista Workers' Confederation (CST)	Ronaldo Membreño C.	
ATC	José Adán Rivera C. Julio César Muñoz	

GOVERNMENT OF NICARAGUA

ECONOMIC AND SOCIAL CONCILIATION

List of Ministers and Vice-Ministers participating in the conciliation process

(Signature)

Mr. Erwin Krüger Maltez
Vice-Minister of the Presidency
Director of CORNAP

Mr. Antonio Ibarra Rojas
Vice-Minister of the Presidency

Mr. Francisco Rosales
Minister of Labour

Mr. Silvio De Franco
Minister for the Economy

Mr. Dayton Caldera Solórzano
Vice-Minister for the Economy and Development

Mr. Emilio Pereira A.
Minister of Finance

Mr. Leonel Rodriguez
Vice-Minister of Finance

Mr. Francisco Mayorga
Minister-President
Central Bank of Nicaragua

Mr. Raúl Lacayo Solórzano
Vice-President
Central Bank of Nicaragua

Mr. Roberto Rondón Sacasa
Minister for Agriculture and Livestock Production

Mr. Jorge Granera Sacasa
Vice-Minister for Agriculture and Livestock Production

Mr. Carlos Hurtado Cabrera
Minister of Government

Mr. José Bernard Pallais
Vice-Minister of Government

/...

(Signature)

Mr. Enrique Dreyfus
Minister for Foreign Affairs

Mr. Ernesto Leal
Vice-Minister for Foreign Affairs

Mr. Noel Vidaurre Argüello
Vice-Minister for Foreign Affairs

Mr. Jaime Icabalceta
Minister for Construction and Transport

Mr. Raúl Leclair Lugo
Vice-Minister for Construction and Transport

Mr. Angel Navarro Deshon
Director
Corporacion Financiera de Nicaragua (Nicaraguan Finance Corporation) (CORFIN)

Mr. Silviano Matamoros Lacayo
Director
Instituto Nicaraguense de Seguridad Social y Bienestar (Nicaraguan Institute of Social Security and Welfare) (INSSBI)

Mr. Leonel Panting
Regional Governor
North Atlantic Coast

Mr. Alvin Guthrie
Governor and President of Deputies
South Atlantic Coast

Mr. Alejandro Bolaños Davis
Co-ordinator of the event
Adviser to the Presidency

ANNEX II

Official Declaration of the National Assembly of Nicaragua issued at Managua on 10 October 1990

1. The National Assembly of the Republic of Nicaragua is deeply concerned at the serious deterioration of the economic and social situation, which poses a dangerous threat to the country's political stability and, in particular, to the peace achieved after many years of very painful war. There can be no excuse for allowing such a tragedy to recur, and the National Assembly pledges to do its part to prevent that from happening.

As the repository of popular sovereignty and the forum where political forces come together, the National Assembly categorically asserts that it is a patriotic duty, transcending partisan interests, to take all necessary steps to prevent the political situation from deteriorating, contain the trend towards economic and social decline and adopt immediate measures to steer the country along the course of stability and sustained recovery.

2. The National Assembly welcomes with satisfaction the fact that all political, social and economic forces have asserted that it is only through concerted efforts that Nicaragua will be able to begin to overcome its problems. To accomplish this goal, the conciliation process initiated by the executive branch must be based on the broadest possible consensus if the agreements reached are to be effective.

3. In order for conciliation efforts to attract the required national political consensus, it is essential to respect and further enhance the State of law under which a legitimate, democratically elected Government has been established whose authority, which derives from the will of the people and the Political Constitution of the Republic, must not be undermined. Likewise, in exercising its right to govern, the Government must recognize the legitimacy of the opposition, and take into account, in its decision-making process, the fact that the opposition represents a sector of national opinion.

Strengthening the State of law requires, inter alia, respecting the complete independence of the various branches of government, guaranteeing the professionalization of the armed forces as a national institution which respects the legal order, and disarming all civilians.

In this connection, the National Assembly reiterates the need for all of us, Government and governed alike, to adjust our behaviour strictly to the norms and institutions of a constitutional State.

4. The National Assembly joins in the effort to build a democratic society based on law and economic and social justice. The need to increase the efficiency of the economic system by rationalizing and decentralizing the State, increasing the role of the market and the business sector and revitalizing economic activity does not mean restoring a Somoza-style government. We therefore reaffirm the right of all citizens, particularly lower-income groups, to own property. The right of citizens

to property distributed to them prior to 25 February 1990, whether individually or in association with others, must be respected, while recognizing that the original owners of property that was unjustly expropriated or confiscated must be duly compensated or, if restitution is possible, must have such property returned to them.

We believe that when State enterprises are privatized, the rights of workers to share in their ownership must be taken into account.

5. The National Assembly recognizes that adjustment measures are needed to overcome the country's economic crisis and that the costs of the adjustment must be borne in proportion to the capacity of the various socio-economic sectors, paying particular attention to the most vulnerable population groups. However, the country is undeniably in an exceptional situation resulting from more than a decade of acute deterioration brought about by political and military conflict. It is therefore in urgent need of additional external resources on preferential terms, and international financial institutions and countries with ties to and interests in the region must recognize the exceptional nature of the Nicaraguan economy so that it is not subjected to the rigid criteria of traditional stabilization programmes. The adjustment programme must form part of a comprehensive economic policy to be implemented as a matter of urgency to restore the country's productive capacity.

6. With a view to promoting understanding and reconciliation among all Nicaraguans, the National Assembly acknowleges the urgent need to deal with sources of conflict and tension and find alternative solutions through dialogue, particularly in the area of land takeovers. An auspicious climate in which positive steps were taken to deal with the various points of conflict would make it possible, in the conciliation process, to reach agreement on the most appropriate means of implementing the measures required by the economy.

The National Assembly therefore calls for an end to the use of violence as a means of settling disputes.

7. Bearing in mind the key responsibility of the mass media for creating the necessary climate of confidence and respect, the National Assembly fervently appeals to the owners, editors, producers and reporters of the various media to contribute to the development of a political culture based on tolerance and respect for all views. The National Assembly likewise reaffirms the unrestricted right of free expression of the media and condemns any terrorist act against them.

8. The National Assembly emphatically calls upon all the sectors participating in the economic and social conciliation process to play a responsible, decisive and patriotic role so that a national consensus can be reached that will lead to social peace and genuine reconstruction in Nicaragua.

9. The National Assembly, as the foremost branch of government, believes that constant political attention must be paid to the nation's major problems and conflicts, in order to help consolidate peace, stability and democracy in Nicaragua. To that end the Conciliation Commission of the National Assembly will

have to maintain its contribution to the national conciliation process and report periodically to the full Assembly on the outcome of its efforts, so that the Assembly can approve its activities.

(Signed)

Luis SANCHEZ SANCHO
Acting President of the National Assembly

(Signed)

Alfredo CESAR AGUIRRE
Secretary of the National Assembly

ANNEX III

Support by demobilized members of the Nicaraguan Resistance for the agreements on economic and social conciliation

We, the leaders of the various regional councils of demobilized members of the Nicaraguan Resistance, meeting at Managua on 27 and 28 October 1990 in the sixth month of the Government headed by Her Excellency the President of the Republic, Violeta Barrios de Chamorro, wish to communicate the following to our entire people, particularly the population in rural areas:

1. Having learned of the agreements entered into by the productive sectors (employers and trade unions) and the Government of Nicaragua and signed on 26 October 1990, we wish to express our profound satisfaction at the maturity, responsibility and patriotic spirit which prompted the sectors involved in this important economic and social agreement, achieved after 10 years of civil war, to promote the economic stability and lasting social peace which will ensure the overall development of our entire people, thereby solving the country's economic and social crisis.

This major national agreement has been achieved at a moment in the history of our country which follows a genuinely free election and a patriotic gesture of voluntary disarmament by the Nicaraguan Resistance, marking an end to our political tradition of perpetual civil war.

2. On the basis of these institutional measures which are of the utmost national importance and in view of the slow process of political, economic and social reintegration of demobilized members of the Nicaraguan Resistance, the recent conciliation agreements should serve as inspiration for a conciliation process in the agricultural sector, based on peace and social justice.

Such a conciliation process in the agricultural sector will have to be co-ordinated by the National Agrarian Commission and tackle the problems of access to land, civilian disarmament, a democratic co-operative movement, general demilitarization and freedom to form peasant trade unions, all of which demand immediate solutions.

We welcome the significant fact that the Resistance was asked to become a full member of the newly established National Agrarian Commission and we are gratified that the Government and the employers' and workers' organizations participating in the social and economic conciliation process recognized the Commission's creation.

3. Therefore:

(a) We declare our firmest support for the commitment by the signatory sectors to implement the consensus provisions of the conciliation agreements, and our complete adherence to those agreements, which seek to bring about stability, particularly in the next six months.

(b) We formally propose the promotion and organization of a major conciliation process in the agricultural sector.

(c) Lastly, we appeal to all the sectors which participated in these important national dialogues to reject any group attitude that might hinder the progress of this process of national salvation.

ONLY THROUGH UNITY AND PERMANENT DIALOGUE WILL WE FIND
RATIONAL SOLUTIONS TO THE COUNTRY'S MAJOR PROBLEMS

(Signed) Israel GALEANO (Franklin)
Representative of the Nicaraguan Resistance
National Agrarian Commission

(Signed) José Benito BRAVO (Mack)
Representative of the
Nicaraguan Resistance
Agrarian Sub-Commission

(Signed) Pastor PALACIO (Indio)
Representative of the
Nicaraguan Resistance

(Signed) Eddy MIRENCE (Fernando)
Representative, Regional Agrarian
Commission (RAC), Region I

(Signed) Denis GALEANO (Jhony)
Reresentative, RAC, Region V

(Signed) Juan Ramón BETANCO
Chairman, Antigua Council
Nueva Segovia

(Signed) José BERIO LOPEZ
Chairman, Ocotal Council

(Signed) Salvador VALDIVIA TINOCO
Chairman, El Almendro Council

(Signed) Manuel MUDIEL RUGAMA
El Almendro

(Signed) Javier URBINA CENTENO
Chairman, El Porvenir Council

(Signed) Luis Anastacio CORNEJO R.
Representative, Chontales

(Signed) Pedro FLORES MARIN
Chairman, Dipilto Viejo Council

(Signed) José Miguel ASTORGA
President, Chontales Council
Santo Domingo

(Signed) Tomás LAGUNA OROZCO
Chairman, Jicaro Council
Nueva Segovia

UNITED
NATIONS

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General Assembly

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A/45/819
14 December 1990
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Forty-fifth session
Agenda items 12 and 118

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of draft decision II recommended by the Second Committee in paragraph 68 of its report (A/45/843)

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 39th meeting, on 30 November 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/45/54) on the programme budget implications of draft decision II recommended by the Second Committee in paragraph 68 of its report (A/45/848). The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/45/SR.39).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt draft decision II recommended by the Second Committee in paragraph 68 of its report, 1/ no additional appropriations would be required under section 1 (Overall policy-making, direction and co-ordination) of the programme budget for the biennium 1990-1991.

1/ A/45/848.

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A/45/820
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Forty-fifth session
Agenda items 61 and 118

IMPLEMENTATION OF THE DECLARATION OF THE INDIAN OCEAN AS A ZONE OF PEACE

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of the draft resolution recommended by the First Committee in its report (A/45/783, para. 8)

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 39th meeting, on 30 November 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/45/48) on the programme budget implications of the draft resolution recommended by the First Committee in paragraph 8 of its report (A/45/783). The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/45/SR.39).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt the draft resolution recommended by the First Committee in paragraph 8 of its report (A/45/783), no additional appropriations would be required under sections 2A (Political and Security Council affairs; peace-keeping activities) or 29 (Conference and library services) of the programme budget for the biennium 1990-1991.

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UNITED
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6 December 1990

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Forty-fifth session
Agenda item 73

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

Report of the Special Political Committee

Rapporteur: Miss Catherine von HEIDENSTAM (Sweden)

I. INTRODUCTION

1. The item entitled "International co-operation in the peaceful uses of outer space" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolution 44/46 of 8 December 1989.

2. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.

3. The Special Political Committee considered the item at its 13th to 16th and 22nd meetings, on 14-16, 19 and 26 November 1990 (see A/SPC/45/SR.13-16 and 22).

4. The Committee had before it the following documents:

(a) Report of the Committee on the Peaceful Uses of Outer Space; 1/

(b) Report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (A/45/589).

5. The Committee also had before it a note dated 16 October 1990 from the Chairman of the General Assembly to the Chairman of the Special Political Committee

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1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 20 (A/45/20).

transmitting a letter dated 11 October 1990 from the Chairman of the Fifth Committee regarding agenda item 119, Programme Planning, indicating, inter alia, that programme 8, Peaceful uses of outer space, of the medium-term plan for the period 1992-1997 had been referred to the Special Political Committee in order that the Fifth Committee could take fully into account the views that Member States might wish to express on this programme (A/SPC/45/L.4). This matter was brought to the attention of the Committee at its 5th meeting, on 29 October 1990, with the request that any members of the Committee wishing to express their views should do so in writing by 7 November 1990. In a letter dated 7 November 1990, the Chairman of the Special Political Committee informed the Chairman of the Fifth Committee that the Special Political Committee had no comments to make on the subject (A/SPC/45/L.10).

6. At the 13th meeting, on 14 November 1990, Mr. Aurel Dragos Munteanu, Vice-Chairman of the Committee on the Peaceful Uses of Outer Space and Permanent Representative of Romania to the United Nations, introduced the report of the Committee on behalf of its Chairman, Mr. Peter Jankowitsch.

II. CONSIDERATION OF DRAFT RESOLUTION A/SPC/45/L.17

7. At the 15th meeting, on 16 November 1990, the representative of Austria introduced a draft resolution entitled "International co-operation in the peaceful uses of outer space" (A/SPC/45/L.17), on behalf of the Working Group on International Co-operation in the Peaceful Uses of Outer Space of the Special Political Committee, which, in accordance with the decision of the Special Political Committee at its 2nd meeting, on 9 October 1990, was established under the chairmanship of the representative of Austria to prepare a draft resolution on this item. He expressed the hope that the resolution would be adopted without a vote.

8. With reference to the programme budget implications of draft resolution A/SPC/45/L.17, the Chairman informed the Committee at the 22nd meeting, on 26 November, that according to information provided by the Programme Planning and Budget Division, it was not anticipated that programme budget implications would arise were the General Assembly to adopt the draft resolution on international co-operation in the peaceful uses of outer space.

9. At the same meeting, the Committee adopted the draft resolution without a vote (see para. 11).

10. At the same meeting, following the adoption of the draft resolution, the Chairman recalled that during the deliberations several delegations had expressed interest concerning membership in the Committee on the Peaceful Uses of Outer Space. He stated that, following consultations among members of the Working Group on the Peaceful Uses of Outer Space, it seemed that the matter needed further consultation in the light of past practice relating to membership of the Committee, which took into account balanced geographical distribution, and that further consultations on this question could take place at the next session of the Committee on the Peaceful Uses of Outer Space. He noted that in the mean time it might be useful for regional groups to consult on this question.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL COMMITTEE

11. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling its resolution 44/46 of 8 December 1989,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and of the importance of international co-operation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international co-operation in developing the rule of law, including the relevant norms of space law and their important role in international co-operation for the exploration and use of outer space for peaceful purposes,

Gravely concerned at the extension of an arms race into outer space,

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international co-operation in the exploration and use of outer space for peaceful purposes,

Aware of the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to the socio-economic advancement of mankind, in particular that of the peoples of developing countries,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and application as well as in various national and co-operative space projects, which contribute to international co-operation in this field,

Taking note of the report of the Secretary-General 2/ on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, 3/

2/ A/45/589.

3/ See Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2).

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-third session, 4/

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space;

2. Invites States that have not yet become parties to the international treaties governing the uses of outer space 5/ to give consideration to ratifying or acceding to those treaties;

3. Notes that, at its twenty-ninth session, the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, in its working groups, continued its work as mandated by the General Assembly in resolution 44/46; 6/

4. Endorses the recommendations of the Committee that the Legal Sub-Committee, at its thirtieth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Continue, through its working group, the elaboration of draft principles relevant to the use of nuclear-power sources in outer space with the aim of finalizing the draft set of principles;

(b) Continue, through its working group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(c) Continue, through its working group, its consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries;

4/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 20 (A/45/20).

5/ Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

6/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 20 (A/45/20), sect. II.C.

5. Endorses the recommendations of the Committee concerning the organization of work in the Legal Sub-Committee;

6. Notes that the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space, at its twenty-seventh session, continued its work as mandated by the General Assembly in its resolution 44/46; 7/

7. Endorses the recommendations of the Committee that the Scientific and Technical Sub-Committee, at its twenty-eighth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Consider the following items on a priority basis:

(i) United Nations Programme on Space Applications and the co-ordination of space activities within the United Nations system;

(ii) Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space;

(iii) Matters relating to remote sensing of the Earth by satellites including, inter alia, applications for developing countries;

(iv) Use of nuclear-power sources in outer space;

(b) Consider the following items:

(i) Questions relating to space transportation systems and their implications for future activities in space;

(ii) Examination of the physical nature and technical attributes of the geostationary orbit; examination of its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;

(iii) Matters relating to life sciences, including space medicine;

(iv) Progress in national and international space activities related to the Earth environment, in particular progress in the geosphere-biosphere (global change) programme; the Committee on Space Research and the International Astronautical Federation should be invited to present reports and arrange a special presentation on this subject;

(v) Matters relating to planetary exploration;

(vi) Matters relating to astronomy;

7/ Ibid., sect. II.B.

(vii) The theme fixed for special attention at the 1991 session of the Scientific and Technical Sub-Committee: "Applications of airborne and satellite remote sensing for prospecting mineral and ground-water resources and for monitoring and managing biological resources, with emphasis on agriculture, taking into particular account the needs of developing countries"; the Committee on Space Research and the International Astronautical Federation should be invited to arrange a symposium, with as wide a participation as possible, to be held during the first week of the Sub-Committee's session, at the end of its meetings, to complement discussions within the Sub-Committee;

8. Considers, in the context of paragraph 7 (a) (ii) above, that it is particularly urgent to implement the following recommendations:

(a) All countries should have the opportunity to use the techniques resulting from medical studies in space;

(b) Data banks at the national and regional levels should be strengthened and expanded and an international space information service should be established to function as a centre of co-ordination;

(c) The United Nations should support the creation of adequate training centres at the regional level, linked, whenever possible, to institutions implementing space programmes; necessary funding for the development of such centres should be made available through financial institutions;

(d) The United Nations should organize a fellowship programme through which selected graduates or post-graduates from developing countries should get in-depth, long-term exposure to space technology or applications; it is also desirable to encourage the availability of opportunities for such exposure on other bilateral and multilateral bases outside the United Nations system;

9. Endorses the recommendation of the Committee that the Scientific and Technical Sub-Committee should reconvene, at its twenty-eighth session, the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, with a view to improving the execution of activities relating to international co-operation, particularly those included within the United Nations Programme on Space Applications, and to proposing concrete steps to increase such co-operation, as well as to make it more efficient;

10. Also endorses the recommendations of the Working Group of the Whole of the Scientific and Technical Sub-Committee, as endorsed by the Committee and as contained in paragraphs 4, 5 and 6 of the report of the Working Group of the Whole; 8/

8/ A/AC.105/456, annex II.

11. Decides that, during the twenty-eighth session of the Scientific and Technical Sub-Committee, the Working Group on the Use of Nuclear Power Sources in Outer Space shall be reconvened;

12. Endorses the United Nations Programme on Space Applications for 1991, as proposed to the Committee by the Expert on Space Applications, 9/ and urges all States to make voluntary contributions to the Programme in order to enhance its effectiveness;

13. Emphasizes the urgency and importance of implementing fully the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space as early as possible;

14. Reaffirms its approval of the recommendation of the Conference regarding the establishment and strengthening of regional mechanisms of co-operation and their promotion and creation through the United Nations system;

15. Expresses its appreciation to all Governments that have made or expressed their intention to make contributions towards carrying out the recommendations of the Conference;

16. Invites all Governments to take effective action for the implementation of the recommendations of the Conference;

17. Requests all organs, organizations and bodies of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to co-operate in the implementation of the recommendations of the Conference;

18. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the recommendations of the Conference;

19. Urges Member States and international organizations to consider supporting the efforts of the United Nations in connection with International Space Year, 1992;

20. Endorses the recommendation of the Scientific and Technical Sub-Committee that Member States, in planning their activities for International Space Year, consider ways in which those activities could complement the efforts under way for the United Nations Conference on Environment and Development planned for 1992;

21. Recommends that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

22. Considers that it is essential that Member States pay more attention to the problem of collisions with space debris and other aspects of space debris, and calls for the continuation of national research on this question;

9/ See A/AC.105/446, sects. I and III.

23. Also considers that space debris could be an appropriate subject for discussion by the Committee on the Peaceful Uses of Outer Space in the future;

24. Urges all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international co-operation in the exploration and uses of outer space for peaceful purposes;

25. Takes note of the views expressed and documents circulated during the thirty-third session of the Committee and during the forty-fifth session of the General Assembly concerning ways and means of maintaining outer space for peaceful purposes;

26. Requests the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its forty-sixth session;

27. Also requests the Committee to continue to consider, at its thirty-fourth session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

28. Requests the specialized agencies and other international organizations to continue and, where appropriate, enhance their co-operation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

29. Requests the Committee to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities and to submit a report to the General Assembly at its forty-sixth session, including its views on which subjects should be studied in the future.

12. The Special Political Committee recommends that the General Assembly note that, in accordance with the proposal of the Eastern European Group, the Ukrainian Soviet Socialist Republic would fill the seat in the Committee on the Peaceful Uses of Outer Space vacated as a result of the accession of the German Democratic Republic to the Federal Republic of Germany, without prejudice to decisions in other bodies concerning their membership.

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10 December 1990

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Forty-fifth session
Agenda item 73

INTERNATIONAL CO-OPERATION IN THE PEACEFUL JSES OF OUTER SPACE

Report of the Special Political Committee

Rapporteur: Ms. Catherine von HEIDENSTAM (Sweden)

Corrigendum

The headings should read as above.

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6 December 1990

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Agenda item 74

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Report of the Special Political Committee

Rapporteur: Ms. Catherine von HEIDENSTAM (Sweden)

I. INTRODUCTION

1. The item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolutions 44/47 A to K of 8 December 1989.

2. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.

3. The Special Political Committee examined the item at its 5th, 6th, 7th and 22nd meetings, on 29 and 30 October and 1 and 26 November (see A/SPC/45/SR.5-7 and 22).

4. The Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period 1 July 1989 to 30 June 1990; 1/

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

(b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/45/645);

(c) Note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine, in accordance with paragraph 6 of General Assembly resolution 512 (VI) of 26 January 1952 and paragraph 4 of General Assembly resolution 44/47 A of 8 December 1989 (A/45/382);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 D of 8 December 1989 (A/45/463);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 E of 8 December 1989 (A/45/464);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 F of 8 December 1989 (A/45/465);

(g) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 G of 8 December 1989 (A/45/466);

(h) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 H of 8 December 1989 (A/45/429);

(i) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 I of 8 December 1989 (A/45/641);

(j) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 J of 8 December 1989 (A/45/530);

(k) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/47 K of 8 December 1989 (A/45/646).

5. The Committee also had before it a letter dated 4 January 1990 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (A/45/74-S/21068).

6. At its 5th meeting, on 29 October, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced his report (see A/SPC/45/SR.5).

7. At the same meeting, the representative of Norway, Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group (see A/SPC/45/SR.5).

II. CONSIDERATION OF PROPOSALS

8. In the course of its deliberations, the Special Political Committee considered 11 draft resolutions, as set forth below.

A. Draft resolution A/SPC/45/L.5

9. At the 22nd meeting, on 26 November, the representative of the United States of America introduced a draft resolution entitled "Assistance to Palestine refugees" (A/SPC/45/L.5), sponsored by his delegation.

10. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.5 by a recorded vote of 123 to none, with 1 abstention (see para. 36, draft resolution A). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

B. Draft resolution A/SPC/45/L.6

11. At the 22nd meeting, on 26 November, the representative of the Netherlands introduced a draft resolution entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/SPC/45/L.6), sponsored by Austria, Bangladesh, Canada, Denmark, Germany, Indonesia, Malaysia, the Netherlands, New Zealand, Pakistan, the Philippines, Spain, Sweden and Yugoslavia.

12. At the same meeting, the Chairman made a statement concerning the programme budget implications of the draft resolution (see A/SPC/45/SR.22).

13. Also at the same meeting, the Committee adopted draft resolution A/SPC/45/L.6 without a vote (see para. 36, draft resolution B).

C. Draft resolution A/SPC/45/L.7

14. At the 22nd meeting, on 26 November, the representative of Sweden introduced a draft resolucion entitled "Assistance to persons displaced as a result of the June 1967 and subsequent hostilities" (A/SPC/45/L.7), sponsored by Austria, Bangladesh, Belgium, Canada, Cyprus, Denmark, Finland, Germany, Greece, India, Indonesia, Ireland, Italy, Japan, Malaysia, Mali, the Netherlands, Norway, Pakistan, the Philippines, Sri Lanka and Sweden.

15. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.7 without a vote (see para. 36, draft resolution C).

D. Draft resolution A/SPC/45/L.18

16. At the 22nd meeting, on 26 November, the representative of Bangladesh introduced a draft resolution entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees" (A/SPC/45/L.18), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, Indonesia, Jordan, Madagascar, Malaysia, Mali, Pakistan, Yugoslavia and Zambia.

17. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.18 by a recorded vote of 122 to none, with 1 abstention (see para. 36, draft resolution D). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India,

Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

E. Draft resolution A/SPC/45/L.19

18. At the 22nd meeting, on 26 November, the representative of Pakistan introduced a draft resolution entitled "Palestine refugees in the Palestinian territory occupied by Israel since 1967" (A/SPC/45/L.19), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Yugoslavia and Zambia.

19. At the same meeting, the Chairman made a statement concerning the programme budget implications of the draft resolution (see A/SPC/45/SR.22).

20. Also at the same meeting, the Committee adopted draft resolution A/SPC/45/L.19 by a recorded vote of 121 to 2 (see para. 36, draft resolution E). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania,

Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

F. Draft resolution A/SPC/45/L.20

21. At the 22nd meeting, on 26 November, the representative of Pakistan introduced a draft resolution entitled "Resumption of the ration distribution to Palestine refugees" (A/SPC/45/L.20), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Yugoslavia and Zambia.

22. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.20 by a recorded vote of 93 to 20, with 9 abstentions (see para 36, draft resolution F). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Bulgaria, Czechoslovakia, Greece, Hungary, Liechtenstein, Poland, Romania, Spain.

G. Draft resolution A/SPC/45/L.21

23. At its 22nd meeting, on 26 November, the representative of Bangladesh introduced a draft resolution entitled "Return of population and refugees displaced since 1967" (A/SPC/45/L.21), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Yugoslavia and Zambia.

24. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.21 by a recorded vote of 96 to 2, with 25 abstentions (see para 36, draft resolution G). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Ghana, Greece, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland.

H. Draft resolution A/SPC/45/L.22

25. At the 22nd meeting, on 26 November, the representative of Bangladesh introduced a draft resolution entitled "Revenues derived from Palestine refugees' properties" (A/SPC/45/L.22), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Yugoslavia and Zambia.

26. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.22 by a recorded vote of 95 to 2, with 26 abstentions (see para. 36, draft resolution H). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Ghana, Greece, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland.

I. Draft resolution A/SPC/45/L.23/Rev.1

27. At its 22nd meeting, on 26 November, the Committee had before it the text of a draft resolution (A/SPC/45/L.23) entitled "Protection of Palestine refugees", which had originally been circulated on 15 November 1990 and subsequently revised by the addition of the words "and other hostile acts" at the end of paragraph 10 of the preamble and circulated on 23 November 1990 as document A/SPC/45/L.23/Rev.1, which read as follows:

"Protection of Palestine refugees

"The General Assembly,

"Recalling, in particular, recent Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

"Further recalling its resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983, 39/99 I of 14 December 1984,

40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 I of 3 November 1988, 43/57 I of 6 December 1988 and 44/47 I of 8 December 1989,

"Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987), 1/ and the report dated 31 October 1990, submitted in accordance with Security Council resolution 672 (1990), 2/

"Having considered the report of the Secretary-General, 3/

"Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 4/

"Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

"Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

"Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 5/ and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907, 6/

"Deeply concerned at the marked deterioration in the security situation experienced by the Palestine refugees as stated by the Commissioner-General in his report, 4/

"Deeply distressed at the suffering of the Palestinian and Lebanese population, which has resulted from continuing Israeli acts of aggression against Lebanon and other hostile acts,

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"1/ S/19443.

"2/ S/21919 and Corr.1.

"3/ A/45/641.

"4/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

"5/ United Nations, Treaty Series, vol. 75, No. 973.

"6/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

"1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 5/

"2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;

"3. Strongly urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General; 1/, 2/

"4. Urges the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to continue his efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

"5. Calls once again upon Israel, to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon, in violation of the Charter of the United Nations and norms of international law;

"6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

"7. Calls once again upon Israel to compensate the agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the latter's responsibility for all damages resulting from that invasion, as well as for other damages resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

"8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution."

28. At the same meeting, the representative of the Sudan introduced and, on behalf of the sponsors, orally revised operative paragraphs 5 and 7 of draft resolution A/SPC/45/L.23/Rev.1, sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Mali, Pakistan, the Sudan, Yugoslavia and Zambia.

29. Also at the same meeting, the Committee adopted draft resolution A/SPC/45/L.23/Rev 1, as orally revised, by a recorded vote of 120 to 2 (see para. 36, resolution I). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

J. Draft resolution A/SPC/45/L.24

30. At the 22nd meeting, on 26 November, the representative of Bangladesh introduced a draft resolution entitled "University of Jerusalem 'Al-Quds' for Palestine refugees" (A/SPC/45/L.24), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Pakistan, Yugoslavia and Zambia.

31. At the same meeting, the Chairman made a statement concerning the programme budget implications of the draft resolution (see A/SPC/45/SR.22).

32. Also at the same meeting, the Committee adopted draft resolution A/SPC/45/L.24 by a recorded vote of 121 to 2 (see para. 36, draft resolution J). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana,

Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

K. Draft resolution A/SPC/45/L.25

33. At the 22nd meeting, on 26 November, the representative of Pakistan introduced a draft resolution entitled "Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory" (A/SPC/45/L.25), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, the Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Pakistan, Yugoslavia and Zambia.

34. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.25 by a recorded vote of 121 to 2 (see para. 36, resolution K). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia,

Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

35. Following the voting on the draft resolutions, the representatives of Italy (on behalf of the States Members of the United Nations that are members of the European Community), the Islamic Republic of Iran, Austria, Czechoslovakia, Romania, Israel and Lebanon made statements in explanation of vote (see A/SPC/45/SR.22).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL COMMITTEE

36. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolutions:

United Nations Relief and Works Agency for Palestine Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 44/47 A of 8 December 1989 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 2/

1. Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for

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2/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. Reiterates its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), 3/ and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1991;

5. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

6. Notes with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

B

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 44/47 B of 8 December 1989 and the previous resolutions on this question,

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3/ See A/45/382, annex.

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East 4/ and adopted the recommendations contained therein,

Having considered the report of the Working Group, 5/

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 6/

Deeply concerned at the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the present minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. Takes note with approval of the report of the Working Group;

3. Requests the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

4/ A/36/866 and Corr.1; see also A/37/591.

5/ A/45/645.

6/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

C

Assistance to persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 44/47 C of 8 December 1989 and all previous resolutions on the question,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 7/

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 44/47 C and all its previous resolutions on the question;

2. Endorses, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. Strongly appeals to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

D

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of

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7/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988 and 44/47 D of 8 December 1989,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General, 8/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 9/

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolutions 41/69 D, 42/69 D, 43/57 D and 44/47 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8/ A/45/463.

9/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

E

Palestine refugees in the Palestinian territory occupied by Israel since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E and I of 16 December 1982, 38/83 E and J of 15 December 1983, 39/99 E and J of 14 December 1984, 40/165 E and J of 16 December 1985, 41/69 E and J of 3 December 1986, 42/69 E and J of 2 December 1987, 43/57 E of 6 December 1988 and 44/47 E of 8 December 1989,

Having considered the report of the Secretary-General, 10/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 11/

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948, and considering that measures to resettle Palestine refugees in the Palestinian territory occupied by Israel since 1967 away from their homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Strongly reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

10/ A/45/464.

11/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

3. Requests the Secretary-General, in co-operation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

4. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above.

F

Resumption of the ration distribution to Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982, 38/83 F of 15 December 1983, 39/99 F of 14 December 1984, 40/165 F of 16 December 1985, 41/69 F of 3 December 1986, 42/69 F of 2 December 1987, 43/57 F of 6 December 1988, 44/47 F of 8 December 1989 and all its previous resolutions on the question, including resolution 302 (IV) of 8 December 1949,

Having considered the report of the Secretary-General, 12/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 13/

Deeply concerned at the interruption by the Agency, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. Regrets that its resolutions 37/120 F, 38/83 F, 39/99 F, 40/165 F, 41/69 F, 42/69 F, 43/57 F and 44/47 F have not been implemented;

2. Calls once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the

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12/ A/45/465.

13/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

3. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

G

Return of population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983, 39/99 G of 14 December 1984, 40/165 G of 16 December 1985, 41/69 G of 3 December 1986, 42/69 G of 2 December 1987, 43/57 G of 6 December 1988 and 44/47 G of 8 December 1989,

Having considered the report of the Secretary-General, 14/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 15/

1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach

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14/ A/45/466.

15/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and is inadmissible;

2. Considers any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. Calls once more upon Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-sixth session, on Israel's compliance with paragraph 4 above.

H

Revenues derived from Palestine refugees' properties

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984, 40/165 H of 16 December 1985, 41/69 H of 3 December 1986, 42/69 H of 2 December 1987, 43/57 H of 6 December 1988, 44/47 H of 8 December 1989 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Secretary-General, 16/

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1989 to 31 August 1990, 17/

Recalling that the Universal Declaration of Human Rights 18/ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

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16/ A/45/429.

17/ A/45/382.

18/ Resolution 217 A (III).

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report, 19/ and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, which would assist the Secretary-General in the implementation of the present resolution;

4. Deplores Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

I

Protection of Palestine refugees

The General Assembly,

Recalling, in particular, recent Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

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19/ Official Records of the General Assembly, Nineteenth Session, Annex No. 11, document A/5700.

Further recalling its resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983, 39/99 I of 14 December 1984, 40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 I of 3 November 1988, 43/57 I of 6 December 1988 and 44/47 I of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, 20/ submitted in accordance with Security Council resolution 605 (1987), and the report dated 31 October 1990, submitted in accordance with Security Council resolution 672 (1990), 21/

Having considered the report of the Secretary-General, 22/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 23/

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 24/ and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907, 25/

Deeply concerned at the marked deterioration in the security situation experienced by the Palestine refugees as stated by the Commissioner-General in his report, 23/

20/ S/19443.

21/ S/21919 and Corr.1.

22/ A/45/641.

23/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

24/ United Nations, Treaty Series, vol. 75, No. 973.

25/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

Deeply distressed at the suffering of the Palestinian and Lebanese population, which has resulted from continuing Israeli acts of aggression against Lebanon and other hostile acts,

1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 24/

2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;

3. Strongly urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General; 20/, 21/

4. Urges the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to continue his efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

5. Calls once again upon Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon, in violation of the Charter of the United Nations and norms of international law;

6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. Calls once again upon Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the latter's responsibility for all damages resulting from that invasion, as well as for other damages resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution.

J

University of Jerusalem "Al-Quds" for Palestine Refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988 and 44/47 J of 8 December 1989,

Having considered the report of the Secretary-General, 26/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 27/

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once more upon Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

26/ A/45/530.

27/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

K

Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling its resolutions 43/21 of 3 November 1988, 43/57 I of 6 December 1988, 44/2 of 6 October 1989 and 44/47 K of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987), 28/ and the report dated 31 October 1990, submitted in accordance with Security Council resolution 672 (1990), 29/

Having considered the report of the Secretary-General, 30/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990, 31/

Taking note, in particular, of paragraph 114 of that report, in which it is stated that during the reporting period "unauthorized entry by the Israeli authorities into Agency premises increased" and that "555 intrusions into Agency premises were recorded in the Gaza Strip and 191 in the West Bank" and furthermore "in the month of June 1990 alone, 22 incursions into health centres were registered" and that "on 12 June 1990, Israeli soldiers pursuing stone throwers threw two tear gas grenades into the Rimal health centre in Gaza Town affecting patients including 66 registered infants awaiting treatment",

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. Condemns the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

28/ S/19443.

29/ S/21919 and Corr.1.

30/ A/45/646.

31/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

2. Deplores the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational institutions, a large number of which are operated by the Agency, and the repeated disruption of medical services;

3. Calls upon Israel, the occupying Power, to open immediately all closed educational institutions and to refrain from closing them thereafter;

4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

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REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Report of the Special Political Committee

Rapporteur: Ms. Catherine von HEIDENSTAM (Sweden)

I. INTRODUCTION

1. The item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolution 44/48 A of 8 December 1989.

2. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.

3. The Special Political Committee considered the item at its 18th, 20th, 22nd, 24th, 26th and 27th meetings, from 21 to 28 November 1990 (see A/SPC/45/SR.18, 20, 22, 24, 26 and 27).

4. The Committee had before it the following reports:

(a) Note by the Secretary-General transmitting the twenty-second report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/45/576);

(b) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of

the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 25 August to 30 November 1989 (A/45/84);

(c) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 1 December 1989 to 31 March 1990 (A/45/306);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 A (A/45/608);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 B (A/45/609);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 C (A/45/610);

(g) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 D (A/45/611);

(h) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 E (A/45/612);

(i) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 F (A/45/613);

(j) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 G (A/45/614).

5. The Committee also had before it 19 letters, dated 27 December 1989 (A/45/72-S/21061), 23 April (A/45/253-S/21269), 27 April (A/45/258-S/21276), 21 May (A/45/283-S/21308), 22 May (A/45/285-S/21311), 30 May (A/45/295-S/21321), 12 June (A/45/311-S/21356), 22 June (A/45/317-S/21369), 26 June (A/45/326-S/21378), 26 July (A/45/360-S/21410), 14 September (A/45/506-S/21752), 21 September (A/45/532-S/21809), 24 September (A/45/534-S/21813, 8 October (A/45/596-S/21850), 19 October (A/45/655-S/21888) 2 November (A/45/703-S/21926), 5 November (A/45/704-S/21928), 14 November (A/45/722-S/21942) and 19 November 1990 (A/45/727-S/21949) from the Permanent Observer of Palestine to the United Nations or the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General; 5 letters, dated 31 January (A/45/93-S/21118), 9 February (A/45/116-S/21137), 13 February (A/45/121-S/21143), 27 April (A/45/260-S/21280) and 24 May (A/45/290-S/21335) from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; 2 letters, dated 7 February (A/45/114-S/21134) and 27 March 1990 (A/45/182-S/21213), from the Permanent Representative of Saudi Arabia to the United Nations and the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations respectively, addressed to the Secretary-General; a letter dated 12 February 1990 (A/45/122-S/21144) from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General; a letter dated 23 May 1990 (A/45/288-S/21332) from the Permanent

Representative of Ireland to the United Nations addressed to the Secretary-General; a letter dated 28 June 1990 (A/45/333 and Corr.1) from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General; a letter dated 19 September 1990 (A/45/421-S/21797) from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General; a letter dated 18 October 1990 (A/45/650-S/21886) from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General; and a letter dated 20 March 1990 (A/45/175-S/21199) from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General.

6. At the 18th meeting, on 21 November, the representative of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the Committee's report (A/45/576).

II. CONSIDERATION OF PROPOSALS

7. In the course of its deliberations, the Special Political Committee considered seven draft resolutions, as set forth below.

A. Draft resolution A/SPC/45/L.27

8. At the 27th meeting, on 28 November, the representative of Bangladesh introduced a draft resolution (A/SPC/45/L.27 sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

9. At the same meeting, the Committee voted on draft resolution A/SPC/45/L.27 as follows:

(a) Operative paragraph 6 was adopted by a recorded vote of 63 to 20, with 32 abstentions. The voting was as follows: 1/

1/ The representatives of Belgium, Portugal and Spain subsequently stated that their delegations had intended to vote against operative paragraph 6 of draft resolution A/SPC/45/L.27; the representatives of Ghana and Malaysia subsequently stated that their delegations had intended to vote in favour of operative paragraph 6 of draft resolution A/SPC/45/L.27; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of operative paragraph 6 of draft resolution A/SPC/45/L.27.

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cuba, Cyprus, Djibouti, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Malta, Netherlands, New Zealand, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Cameroon, Central African Republic, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, Ethiopia, Jamaica, Kenya, Liechtenstein, Luxembourg, Malawi, Peru, Philippines, Poland, Portugal, Romania, Samoa, Spain, Sweden, Thailand, Turkey, Uruguay, Venezuela.

(b) The draft resolution as a whole was adopted by a recorded vote of 80 to 2, with 36 abstentions (see para. 25, draft resolution A). The voting was as follows: 2/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru,

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2/ The representative of Barbados subsequently stated that her delegation had intended to abstain on draft resolution A/SPC/45/L.27 as a whole; the representative of Ghana subsequently stated that his delegation had intended to vote in favour of draft resolution A/SPC/45/L.27 as a whole; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of draft resolution A/SPC/45/L.27 as a whole.

Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Central African Republic, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malawi, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Samoa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/SPC/45/L.28

10. At the 27th meeting, on 28 November, the representative of Pakistan introduced a draft resolution (A/SPC/45/L.28) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

11. At the same meeting, the Committee voted on draft resolution A/SPC/45/L.28 as follows:

(a) Operative paragraph 1 was adopted by a recorded vote of 119 to 1. The voting was as follows: 3/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia,

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3/ The representative of Ghana subsequently stated that his delegation had intended to vote in favour of operative paragraph 1 of draft resolution A/SPC/45/L.28; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of operative paragraph 1 of draft resolution A/SPC/45/L.28.

Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: None.

(b) The draft resolution as a whole was adopted by a recorded vote of 118 to 1, with 1 abstention (see para. 25, draft resolution B). The voting was as follows: 4/

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

4/ The representative of Ghana subsequently stated that his delegation had intended to vote in favour of draft resolution A/SPC/45/L.28 as a whole; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of A/SPC/45/L.28 as a whole.

Against: Israel.

Abstaining: United States of America.

C. Draft resolution A/SPC/45/L.29

12. At the 27th meeting, on 28 November, the representative of Pakistan introduced a draft resolution (A/SPC/45/L.29) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

13. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.29 by a recorded vote of 120 to 1, with 1 abstention (see para. 25, draft resolution C). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

5/ The representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of the draft resolution.

D. Draft resolution A/SPC/45/L.30

14. At the 25th meeting, on 22 November, the representative of Pakistan introduced a draft resolution (A/SPC/45/L.30) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

15. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.30 by a recorded vote of 119 to 2 (see para. 25, draft resolution D). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

E. Draft resolution A/SPC/45/L.31

16. At the 27th meeting, on 28 November, the representative of Bangladesh introduced a draft resolution (A/SPC/45/L.31) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

17. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.31 by a recorded vote of 120 to 1, with 1 abstention (see para. 25, draft resolution E). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

F. Draft resolution A/SPC/45/L.32, as orally revised

18. At the 27th meeting, on 28 November, the Committee had before it the text of a draft resolution sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar (A/SPC/45/L.32), which read as follows:

"The General Assembly,

"Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

"Recalling Security Council resolution 497 (1981) of 17 December 1981,

"Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989 and 44/48 F of 8 December 1989,

"Having considered the report of the Secretary-General of 15 October 1990, 1/

"Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

"Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory,

"Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

"Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/

"Reaffirming the applicability of the Fourth Geneva Convention to the occupied Syrian Arab Golan,

"Bearing in mind Security Council resolution 237 (1967) of 14 January 1967,

"1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

"2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

"3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and

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"1/ A/45/613.

"2/ United Nations, Treaty Series, vol. 75, No. 973.

void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

"4. Deplores the Israeli practices regarding the confiscation of lands and the diversion of water resources to the Israeli settlements, as well as the social, economic and cultural changes imposed by Israeli authorities over the occupied Syrian Arab Golan, which have resulted in the deterioration of the status of the Syrian Arab citizens at the occupied Syrian Arab Golan and in preventing the exportation of their agricultural products;

"5. Strongly condemns Israel for its attempts forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

"6. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

"7. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

"8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

19. At the same meeting, the representative of Bangladesh introduced the draft resolution and, on behalf of the sponsors, orally revised the text by deleting operative paragraph 4.

20. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.32, as orally revised, by a recorded vote of 119 to 1, with 1 abstention (see para. 25, draft resolution F). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic,

Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

G. Draft resolution A/SPC/45/L.33

21. At the 27th meeting, on 28 November, the representative of Bangladesh introduced a draft resolution (A/SPC/45/L.33) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

22. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.33 by a recorded vote of 120 to 2 (see para. 25, draft resolution G). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Omar, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

23. A statement in explanation of vote was made by the representative of the United States of America before the vote (see A/SPC/45/SR.27).

24. Following the voting on all the draft resolutions, statements in explanation of vote were made by the representatives of Costa Rica, Norway, Austria, Australia, Italy (on behalf of the States members of the European Community), New Zealand, Argentina, Sweden and the Islamic Republic of Iran (see A/SPC/45/SR.27).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL COMMITTEE

25. The Special Political Committee recommends to the General Assembly the adoption of the following resolutions:

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, 6/

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of their continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 7/ as well as of other relevant conventions and regulations,

Taking into account the need to consider measures for the impartial protection of the Palestinian people under Israeli occupation,

Recalling the relevant resolutions of the Security Council, in particular resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

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6/ Resolution 217 A (III).

7/ United Nations, Treaty Series, vol. 75, No. 973.

Recalling also all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987, 43/21 of 3 November 1988, 43/58 A of 6 December 1988, 44/2 of 6 October 1989 and 44/48 A of 8 December 1989,

Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983, 8/ 1984/1 of 20 February 1984, 9/ 1985/1 A and B and 1985/2 of 19 February 1985, 10/ 1986/1 A and B and 1986/2 of 20 February 1986, 11/ 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987, 12/ 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988, 13/ 1989/1 of 17 February 1989, 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989, 14/ 1990/1 of 16 February 1990, 1990/2 of 16 February 1990, 1990/3 of 16 February 1990 and 1990/6 of 19 February 1990, 15/

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 16/ which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the relevant reports of the Secretary-General, 17/

8/ See Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

9/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

10/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

11/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

12/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

13/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

14/ Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

15/ Ibid., 1990, Supplement No. 2 (E/1990/94), chap. II, sect. A.

16/ A/45/84, A/45/306 and A/45/576.

17/ S/19443, S/21919 and Corr.1 and A/45/608.

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. Demands that Israel allow the Special Committee access to the occupied territories;

4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Condemns the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other applicable international instruments, and condemns in particular those violations which the Convention designates as "grave breaches" thereof;

6. Declares once more that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

7. Reaffirms, in accordance with the Convention, that the Israeli military occupation of the Palestinian territory, including Jerusalem, and other Arab territories is of a temporary nature, thus giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

8. Strongly condemns the following Israeli policies and practices:

(a) Annexation of parts of the occupied Palestinian territory, including Jerusalem;

(b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory;

(c) Illegal imposition and levy of taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing ones on private and public Palestinian and other Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs from the occupied territories and denial of their right to return;

(f) Confiscation and expropriation of private and public Palestinian and other Arab property in the occupied territories and all other transactions for the acquisition of land by Israeli authorities, institutions or nationals;

(g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(h) Pillaging of archaeological and cultural property;

(i) Destruction and demolition of Palestinian and other Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(k) Torture of Palestinians and other Arabs;

(l) Interference with religious freedoms and practices, as well as family rights and customs;

(m) Interference with the system of education and with the social and economic development and health of the Palestinians and other Arabs in the occupied territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

(o) Illegal exploitation of the natural wealth, resources and labour of the occupied territories;

9. Also strongly condemns, in particular, the following Israeli policies and practices:

(a) Implementation of an "iron-fist" policy against the Palestinian people in the occupied Palestinian territory;

(b) Escalation of Israeli brutality since the beginning of the uprising (intifadah) on 9 December 1987;

(c) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(d) Closure of headquarters and offices of trade unions and social organizations and harassment of their leaders, including through expulsion, as well as attacks on hospitals and their personnel;

(e) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

(f) Killing and wounding of defenceless demonstrators;

(g) Breaking of bones and limbs of thousands of civilians;

(h) House and/or town arrests;

(i) Use of toxic gas, which has resulted, inter alia, in the killing of many Palestinians;

10. Condemns the Israeli repression against and closing of the educational institutions in the occupied Syrian Arab Golan, particularly prohibiting Syrian textbooks and the Syrian educational system, preventing Syrian students from pursuing their higher education in Syrian universities, denying the right of return to Syrian students receiving their higher education in the Syrian Arab Republic, forcing Hebrew on Syrian students, imposing courses that promote hatred, prejudice and religious intolerance, and dismissing teachers, all in clear violation of the Fourth Geneva Convention;

11. Strongly condemns the arming of Israeli settlers in the occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

12. Requests the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and to initiate measures to halt Israeli policies and practices in those territories;

13. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, and with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

14. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in those occupied territories constitutes a flagrant violation of the Fourth Geneva Convention and of the relevant resolutions of the United Nations;

15. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

16. Calls upon Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide needed health and medical services to the Palestinians in the city;

17. Also calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

18. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. Reiterates its call upon all States, in particular those States parties to the Fourth Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations, including the specialized agencies, not to recognize any changes carried out by Israel, the occupying Power, in the occupied territories and to avoid actions, including those in the field of aid, that might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

20. Requests the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

21. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

23. Condemns Israel's refusal to permit persons from the occupied Palestinian territory to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied Palestinian territory;

24. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly and periodically the reports mentioned in paragraph 21 above to the States Members of the United Nations;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(e) To report to the General Assembly at its forty-sixth session on the tasks entrusted to him in the present resolution;

25. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

B

The General Assembly,

Recalling Security Council resolution 465 (1980) of 1 March 1980, in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 18/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also Security Council resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling further its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986, 42/160 B of 8 December 1987, 43/58 B of 6 December 1988 and 44/48 B of 8 December 1989,

Taking note of the relevant reports of the Secretary-General, 19/

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

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18/ United Nations, Treaty Series, vol. 75, No. 973.

19/ S/19443, S/21919 and Corr.1 and A/45/609.

Bearing in mind the provisions of the Fourth Geneva Convention,

Noting that Israel and the concerned Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to the Fourth Geneva Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Fourth Geneva Convention to the territories it has occupied since 1967, including Jerusalem;

3. Strongly demands that Israel accept the de jure applicability of the Fourth Geneva Convention and comply with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Urgently calls upon all States parties to the Fourth Geneva Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

C

The General Assembly,

Recalling Security Council resolutions 465 (1980) of 1 March 1980, 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987, 43/58 C of 6 December 1988 and 44/48 C of 8 December 1989,

Expressing grave anxiety and concern at the serious situation prevailing in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the occupying Power, designed to change

the legal status, geographical nature and demographic composition of those territories,

Taking note of the relevant reports of the Secretary-General, 20/

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 21/ is applicable to all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Determines that all such measures and actions taken by Israel in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;

2. Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Fourth Geneva Convention;

4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Urgently calls upon all States parties to the Fourth Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

6. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

D

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

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20/ S/19443, S/21919 and Corr.1 and A/45/610.

21/ United Nations, Treaty Series, vol. 75, No. 973.

Recalling its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988, 44/2 of 6 October 1989 and 44/48 D of 8 December 1989,

Taking note of the reports 22/ of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,

Taking note also of the relevant reports of the Secretary-General, 23/

1. Deplores the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;

2. Calls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

3. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

E

The General Assembly,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Taking note of the relevant reports of the Secretary-General, 24/

Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 25/ in particular article 1 and the first paragraph of article 49, which read as follows:

22/ A/45/84, A/45/306 and A/45/576.

23/ S/19443, S/21919 and Corr.1 and A/45/611.

24/ S/19443, S/21919 and Corr.1 and A/45/612.

25/ United Nations, Treaty Series, vol. 75, No. 973.

"Article 1

"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

"Article 49

"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ...",

Reaffirming the applicability of the Fourth Geneva Convention to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant resolutions and decisions of the Security Council and resolutions of the General Assembly;

2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by its authorities in deporting Palestinians and that it facilitate their immediate return;

3. Calls upon Israel, the occupying Power, to cease forthwith the deportation of Palestinians and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

F

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989 and 44/48 F of 8 December 1989,

Having considered the report of the Secretary-General of 15 October 1990, 26/

Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 27/

Reaffirming the applicability of the Fourth Geneva Convention to the occupied Syrian Arab Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 January 1967,

1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

26/ A/45/613.

27/ United Nations, Treaty Series, vol. 75, No. 973.

4. Strongly condemns Israel for its attempts forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 28/

Deeply concerned at the continued and intensified harassment by Israel, the occupying Power, directed against educational institutions in the occupied Palestinian territory,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988, 44/2 of 6 October 1989 and 44/48 G of 8 December 1989,

Taking note of the relevant reports of the Secretary-General, 29/

Taking note also of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied Palestinian territory,

1. Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

28/ United Nations, Treaty Series, vol. 75, No. 973.

29/ S/19443, S/21919 and Corr.1 and A/45/614.

2. Condemns Israeli policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions in the occupied Palestinian territory, especially the opening of fire on defenceless students, causing many casualties;

3. Also condemns the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in flagrant contravention of the Fourth Geneva Convention;

4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures taken against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

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A

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Forty-fifth session
Agenda item 75

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Report of the Special Political Committee

Rapporteur: Ms. Catherine von HEIDENSTAM (Sweden)

Corrigendum

1. Page 5

Footnote 3/ should read

3/ The representative of Ghana subsequently stated that his delegation had intended to vote in favour of operative paragraph 1 of draft resolution A/SPC/45/L.28.

2. Page 6

Footnote 4/ should read

4/ The representative of Ghana subsequently stated that his delegation had intended to vote in favour of draft resolution A/SPC/45/L.28 as a whole.

3. Page 7, paragraph 13

Delete footnote indicator and footnote 5/

4. Page 8, paragraphs 15 and 17, page 11, paragraph 20, and page 12, paragraph 22

Delete footnote indicator 5/

5. Pages 13-25

Footnotes 6-29 and corresponding footnote indicators should be renumbered 5-28.

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